

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

NUCAR CONSULTING, INC.,)	
a Delaware corporation,)	
)	
Plaintiff,)	
)	C.A. No. 06-284 (GMS)
v.)	
)	
ARBOGAST BUICK-PONTIAC-GMC)	
TRUCK, INC., an Ohio corporation,)	
)	
Defendant.)	

PLAINTIFF'S NOTICE OF DEPOSITION

TO: Chad D. Cooper	Wayne A. Marvel
Thompson Hine, LLP	Maron & Marvel, P. A.
2000 Courthouse Plaza, N.E.	1201 North Market Street
P.O. Box 8801	Suite 900
Dayton, Ohio 45401-8801	Wilmington, DE 19899

PLEASE TAKE NOTICE that pursuant to Rule 30(b)(6) on October 11, 2006, at 3:00 p.m. the undersigned will take the oral deposition(s) at the offices of Chad D. Cooper, 2000 Courthouse Plaza, N.E. Dayton, Ohio 45401 of the persons designated by Arbogast Buick - Pontiac-GMC Truck, Inc. who are most knowledgeable on the following matters:

1. Negotiations between Plaintiff and Defendant.
2. Knowledge of Dave Arbogast and other company officers regarding so-called "birddog" statutes/regulations/ restrictions/enforcement, including, but not limited to, prior experience.
3. Knowledge of Defendant regarding so-called "birddog" statutes/regulations/ restrictions/enforcement, including, but not limited to, prior experience.
4. Communications between Defendant and any governmental agency regarding so-called "birddog" statutes/regulations/restrictions/enforcement.
5. Communications between Defendant and industry group regarding so-called "birddog" statutes/regulations/restrictions/enforcement.

6. Communications between Defendant and Plaintiff regarding all aspects of their relationship, including, but not limited to, the development of the marketing program, Plaintiff's attempts to obtain payment, and Defendant's desire and attempts to cancel the contract.

7. Knowledge of the facts underlying Defendant's defenses and counterclaim.

8. Attempts by Defendant to mitigate its damages.

The deposition will be conducted by video conference. The court reporter will be one certified in the State of Ohio, present at the office of Chad D. Cooper.

The depositions shall be taken individually and with the exception of the designated representative of the parties and the deponent, all other persons shall be sequestered.

At the time of the deposition, deponent is directed to produce for inspection and photocopying: all documents previously produced by Plaintiff or Defendant during the mandatory document exchange.

/s/ Douglas A. Shachtman

DOUGLAS A. SHACHTMAN ID # 756

Douglas A. Shachtman & Associates

1200 Pennsylvania Avenue, Suite 302

Wilmington, Delaware 19806

Attorney for Plaintiffs

DATED: October 10, 2006

CERTIFICATE OF SERVICE

I, Douglas A. Shachtman, hereby certify that on October 10, 2006, I caused one copy of the attached **PLAINTIFF'S NOTICE OF DEPOSITION** to be served by CM/ECF to:

Wayne A. Marvel, Esquire
Maron & Marvel, P.A.
1201 N. Market Street
Suite 900
Wilmington, DE 19899-0288

Chad D. Cooper, Esquire
Thompson Hine, LLP
2000 Courthouse Plaza, N.E.
P.O. Box 8801
Dayton, Ohio 45401-8801

/s/ Douglas A. Shachtman

DOUGLAS A. SHACHTMAN, I.D. No. 756
Douglas A. Shachtman & Associates
1200 Pennsylvania Avenue, Suite 302
Wilmington, DE 19806
(302) 655-1800
Douglas.Shachtman@Verizon.net
Attorney for Plaintiff

DATED: October 10, 2006